

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

REARDEN LLC, et al.,

Plaintiffs,

v.

THE WALT DISNEY COMPANY, et al.,

Defendants.

Case No. 17-cv-04006-JST (SK)

**ORDER REGARDING DISCOVERY
LETTER BRIEFS**

Regarding Docket Nos. 349, 350, 355, 356

This matter comes before the Court in regarding discovery letters filed by parties on March 9, 2023. (Dkt. Nos. 349, 350, 355, 356.)

In the first discovery letter brief, Plaintiffs seek four specific documents from Defendants:

[REDACTED]
[REDACTED]
[REDACTED] (3) supplemental

spreadsheets showing revenues from consumer products and music related to *Beauty and the Beast*, and (4) a spreadsheet based on Disney’s estimate of future earnings for *Beauty and the Beast*. Plaintiffs argue that these documents are relevant to damages. The Court GRANTS the request and ORDERS Disney to produce these documents by March 31, 2023.

In a separate discovery letter brief, Defendants complain that Plaintiffs – not their attorneys – searched for responsive documents. Defendants ask that this Court order Plaintiffs to “export” the mailboxes of its custodians to a database, required someone other than employees of Rearden LLC “run the search terms” against those documents, “de-duplicate the results against the set” that Plaintiff’s officer provided to counsel, and produce any documents that were not produced. Defendants seek this remedy because they are concerned that Plaintiffs’ counsel was not involved

1 in collecting the documents for production. Defendants concede, though, that the Federal Rules of
2 Civil Procedure do not require that the attorney for a party be involved in the process of collecting
3 documents for production. The Court here sees no reason to invent a new rule of discovery and
4 thus DENIES Defendants' request.

5 The Court files this Order under seal at this time because it may contain confidential
6 information. By March 21, 2023, any party claiming that the Order contains confidential
7 information must submit a motion to continue to seal all or a portion of this Order. If no party
8 files a motion to continue to seal, the Order will be made public.

9 **IT IS SO ORDERED.**

10 Dated: March 14, 2023



SALLIE KIM
United States Magistrate Judge